

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

STATE OF NEW YORK, et al.,

Plaintiffs,

v.

DONALD TRUMP, in his official capacity as
President of the United States, et al.,

Defendants.

Case No. 25-cv-11221-WGY

**SUPPLEMENTAL DECLARATION OF KATHERINE S. DYKES
COMMISSIONER OF THE CONNECTICUT DEPARTMENT OF
ENERGY AND ENVIRONMENTAL PROTECTION**

I, Katherine S. Dykes, declare of my personal knowledge as follows:

1. I am the Commissioner of the State of Connecticut Department of Energy and Environmental Protection (DEEP).

2. I am familiar with the Executive Memorandum entitled “Temporary Withdrawal of All Areas on the Outer Continental Shelf from Offshore Wind Leasing and Review of the Federal Government’s Leasing and Permitting Practices for Wind Projects” (Wind Memorandum) signed on January 20, 2025, by President Trump, which is the subject of the above-captioned litigation.

3. I am submitting this supplemental declaration in support of the State Plaintiffs’ motion for summary judgment, to advise the Court of relevant new factual developments related to the Wind Memorandum that occurred simultaneously with the close of briefing in this above-captioned litigation on August 22, 2025, specifically the issuance of a stop work order to the fully-permitted and approximately 80% constructed Revolution Wind project, located 15 miles off the

coast of Rhode Island in the Rhode Island/Massachusetts Wind Energy Area. I offer this declaration in addition to my declaration of July 18, 2025. [ECF 174-12.]

The August 22 Revolution Wind Stop Work Order

4. On August 22, 2025, the Bureau of Ocean Energy Management (BOEM) of the Department of the Interior (DOI) issued an order (hereinafter, “Stop Work Order”) to Revolution Wind, LLC “to halt all ongoing activities related to the Revolution Wind Project on the outer continental shelf (OCS) to allow time for [BOEM] to address concerns that have arisen during the review that the Department is undertaking pursuant to the President’s Memorandum of January 20, 2025.” A true and accurate copy of the Stop Work Order is attached as **Exhibit 1**.

5. The Stop Work Order provides that Revolution Wind “may not resume activities until BOEM informs you that BOEM has completed its necessary review.” *Id.* The order does not provide a timeline for completion of this review, nor has such a timeline been provided elsewhere.

6. In the Stop Work Order, BOEM states that Revolution Wind is being reviewed pursuant to the Wind Memorandum but provides only two sentences of justification for indefinitely halting the already fully-permitted Revolution Wind project. BOEM states that the Stop Work Order is to “ensure that all activities” are “carried out in a manner that provides for protection of the environment, among other requirements,” and that it “is seeking to address concerns related to the protection of national security interests of the United States and prevention of interference with reasonable uses of the exclusive economic zone, the high seas, and the territorial seas, as described in that subsection of OCSLA.” *Id.* The Stop Work Order does not explain how or in what respects BOEM believes the federal government’s prior evaluations of these issues during the multiyear permitting process were inadequate.

Connecticut’s Interest in Revolution Wind and Harm from the Stop Work Order

7. As described in my prior declaration, DEEP selected Revolution Wind to provide electricity and Renewable Energy Certificates (RECs) to Connecticut through contracts with the state's electric distribution companies, in order to help meet our state's energy and Renewable Portfolio Standard (RPS) needs and requirements, and Connecticut has a strong interest in the timely completion of the project.

8. In 2018 and 2019, using its authority under CGS §§ 16a-3n and 16a-3m, DEEP selected 200 megawatts (MW) and 104 MW from the Revolution Wind offshore wind project in two separate competitive solicitations. Rhode Island separately selected an additional 400 MW from Revolution Wind, for a total project size of 704 MW.

9. In Connecticut, the Revolution Wind project entered into contract negotiations with Connecticut's electric distribution companies, Eversource and United Illuminating. The resulting contracts were submitted to the Connecticut Public Utilities Regulatory Authority (PURA) for review and approval. PURA approved those contracts in Docket Nos. 18-06-37 and 18-05-04. Rhode Island's utility regulator separately approved that state's contract with Revolution Wind.

10. As of August 22, 2025, Revolution Wind was actively under construction, both onshore and in federal waters. The project is already approximately 80% complete. All its offshore foundations are installed, as are 45 of its 65 turbines.

11. The project has received all its required federal and state permits, including receiving final approval of its Construction and Operations Plan from BOEM on November 20, 2023. In total, Revolution Wind went through nine years of reviews across multiple federal administrations. The project began offshore construction in 2024 and has been on track to reach commercial operation and begin delivering power and RECs to Connecticut, Rhode Island, and the New England regional grid in the second half of 2026.

12. Revolution Wind would supply power sufficient to meet about 2.5% of New England's electricity load. Both Connecticut and New England's independent regional grid operator, ISO New England, have been counting on Revolution Wind to come online to contribute to grid reliability.

13. On August 25, 2025, in response to the Stop Work Order, ISO New England warned that delaying the Revolution Wind project would "increase risks to reliability," including potential "near-term impacts to reliability in the summer and winter peak periods," and "adversely affect New England's economy and industrial growth." ISO New England also stated that "[u]npredictable risks and threats to resources—regardless of technology—that have made significant capital investments, secured necessary permits, and are close to completion will stifle future investments, increase costs to consumers, and undermine the power grid's reliability and the region's economy now and in the future."

14. As described in my prior declaration, analysis by ISO New England shows the importance of bringing offshore wind online for regional reliability, particularly during the winter months, which is when the New England grid currently faces its greatest reliability challenges. While offshore wind projects provide energy throughout the year, they perform especially well in the winter, when demand in New England spikes and natural gas supplies are tight due to increased demand for, and prioritization of, natural gas supplies for heating. ISO New England analysis shows that offshore wind can help reduce reliance on natural gas and other fossil fuels, helping to prevent fuel shortages, reduce price volatility, and strengthen grid reliability—again, especially during the winter. Operational data from South Fork Wind, which is the first commercial-scale offshore wind project operating in the United States and is also located in the Rhode

Island/Massachusetts Wind Energy Area, show that that project's output has been highest during the winter.

15. In addition to Connecticut's interest in ensuring the reliability of New England's regional electric grid, of which we are a part, Connecticut specifically is counting on our 304 MW share of Revolution Wind to meet 5% of our state's electric distribution company load once the project comes online in 2026.

16. Once operational, Revolution Wind will save Connecticut ratepayers money. The Revolution Wind contracts are expected to act as a successful hedge against rising electricity rates in the future. Direct savings to Connecticut ratepayers from the contracts are estimated to be hundreds of millions of dollars over 20 years due to the fixed contract prices for Revolution Wind. The contract prices are lower than the average projected cost of energy and RECs over this period.

17. By providing a new source of low-marginal cost power in New England, Revolution Wind will further cause wholesale energy and capacity market costs in ISO New England to be lower, providing additional indirect cost savings to ratepayers in Connecticut and New England. These indirect electric bill cost savings will apply to all purchases of energy and capacity in the ISO New England markets that are needed to meet energy demand in Connecticut and the other New England states. Regionally, these wholesale market benefits from Revolution Wind are expected to be in the hundreds of millions of dollars each year, of which approximately 25% of the benefits will accrue to Connecticut ratepayers, based on our state's share of total regional load.

18. If BOEM's Stop Work Order or other federal actions cause the fully permitted and under construction Revolution Wind project to not be able to enter service in 2026, as under the project's expected timeline prior to the Stop Work Order, Connecticut ratepayers would not

receive the benefits of these direct and indirect electric bill savings. The result instead would be tens of millions of dollars in higher electricity costs on average for Connecticut ratepayers each year. The potential cost to Connecticut ratepayers and to the state's broader economy could be much higher, because, as ISO New England has warned, the loss or delay of Revolution Wind "will increase risks to reliability" in the region.

19. Revolution Wind supports about 1,200 jobs in Connecticut and Rhode Island alone, including more than 100 jobs at the State Pier in New London, Connecticut. The project is further supporting hundreds more jobs in other parts of the country. A recent study by the Connecticut Wind Collaborative found that at least 50 Connecticut companies are working on offshore wind and associated port development.

20. Connecticut has committed over \$200 million to redevelop the State Pier Terminal in the Port of New London into a world-class heavy-lift maritime facility and hub for offshore wind. The developers of Revolution Wind, which are the first tenants of the redeveloped facility, have further contributed approximately \$100 million to the redevelopment. The State Pier is also being used to support the development of other offshore wind projects, including South Fork Wind and Sunrise Wind.

21. As noted above, the Stop Work Order does not provide any specifics on the environmental or national security concerns that BOEM alleges have arisen during its review of the Revolution Wind project pursuant to the Wind Memorandum. The Stop Work Order does not seek any additional information related to these issues or provide a timeline for completing BOEM's review, despite the adverse impacts of delaying this project, which is already under construction and approximately 80% complete.

22. Revolution Wind has been thoroughly studied by both federal and state regulators over nearly a decade and has received all its required federal and state permits, including final approval of its Construction and Operations Plan (COP) by BOEM on November 20, 2023. BOEM's approval of a COP includes thorough environmental review as well as review to ensure the offshore wind project will not unreasonably interfere with other uses of the outer continental shelf, including those involved with national security or defense. BOEM's COP approval for Revolution Wind includes numerous conditions, including to ensure protection of national security and environmental interests.

23. With respect to national security specifically, the Record of Decision (ROD) for Revolution Wind's COP, issued by the Departments of the Interior (BOEM), Defense (U.S. Army Corps of Engineers), and Commerce (National Marine Fisheries Service) on August 21, 2023, notes "[a]t each stage of the regulatory process . . . BOEM has consulted with the [Department of Defense] for the purposes of assessing national security considerations in its decision-making processes." The ROD states national security impacts from developing offshore wind in the Revolution Wind project's lease area "would be negligible and avoidable." The ROD further states BOEM in coordination with the Department of Defense developed specific mitigation measures for the project to protect national security. As documented separately in the COP, development of the Revolution Wind project leading up to BOEM's November 2023 COP approval involved numerous meetings between the developer and relevant federal and state agencies, including the U.S. Coast Guard, U.S. Naval Undersea Warfare Center, U.S. Air Force, North American Aerospace Defense Command, U.S. Army Corps of Engineers, and Federal Aviation Administration. BOEM's Stop Work Order does not provide any details on what specific national security concerns would justify ordering Revolution Wind to stop work. The Stop Work

Order also does not explain why the prior extensive review of national security by BOEM and other federal agencies, or the existing conditions that BOEM incorporated into its COP approval for the project, were insufficient.

24. BOEM invoking the Wind Memorandum to halt the fully-permitted and mostly-constructed Revolution Wind project exemplifies how the Wind Memorandum harms, and will continue to harm, Connecticut, its residents, its investments, and its offshore wind industry.

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Hartford, Connecticut on August 28, 2025.



Katherine S. Dykes

Commissioner of the Connecticut Department of
Energy and Environmental Protection